

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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MAILED

NOV 29 2006

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte DAVID BOTSTEIN, LUC DESNOYERS, NAPOLEONE FERRARA,  
SHERMAN FONG, WEI-QINAG GAO, AUDREY GODDARD, AUSTIN L. GURNEY,  
JAMES PAN, MARGARET ANN ROY, TIMOTHY A. STEWART, DANIEL TUMAS,  
COLIN K. WATANABE and WILLIAM I. WOOD

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Application No. 10/032,996

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on February 23, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

Application No. 10/032,996

The application was returned to the examiner on May 18, 2006. A review of the file reveals that there was no response to the Order. Appropriate action is required for the following:

On May 11, 2006, a facsimile was received at the Board of Patent Appeals and Interferences requesting that the two-month time period for response be re-set because an Examiner's Answer to the Appeal Brief was never received.

Accordingly, it is

**ORDERED** that this application is electronically returned to the Examiner 1) for consideration of the request to re-set the two-month time period; 2) written communication to the appellants of such consideration; and 3) for such action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: G P Edge for Dale Shaw

Dale M. Shaw  
Deputy Chief Appeals Administrator  
(571) 272-9797

cc: KNOBBE, MARTENS, OLSON & BEAR, LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINCE, CA 92614

DMS/lbg